

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER HADSELL,
Plaintiff,
v.
BARRY BASKIN, et al.,
Defendants.

Case No. [4:18-cv-00293-KAW](#)

ORDER TERMINATING FIVE PENDING
MOTIONS TO DISMISS

Dkt. Nos. 11, 14, 20, 21, 26

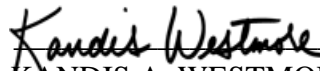
On March 14, 15, 19, and 21, 2018, Defendants filed five separate motions to dismiss Plaintiff Christopher Hadsell's original complaint. (Dkt. Nos. 11, 14, 20, 21, 26.) On April 6, 2018, Plaintiff filed a first amended complaint. (Dkt. No. 45.)

Under Rule 15(a)(1)(B), a party may amend its pleading once as a matter of course within 21 days of being served with a motion under Rule 12(b). While Plaintiff filed the first amended complaint fewer than 21 days after service of three of the pending 12(b) motions, two motions were filed 22 and 23 days prior to the filing of the amended complaint. (*See* Dkt. Nos. 11 & 14.) Nevertheless, Plaintiff is a pro se litigant who missed the earliest filing deadline by only two days, and the interests of judicial economy are best served by having a single operative complaint. Accordingly, the Court terminates the five pending motions to dismiss, as the operative complaint is now the amended complaint.

Plaintiff is advised that future attempts to amend the operative complaint require a stipulation by all opposing parties or leave of court. Fed. R. Civ. P. 15(a)(2).

IT IS SO ORDERED.

Dated: April 6, 2018


KANDIS A. WESTMORE
United States Magistrate Judge